

W5YI

Nation's Oldest Ham Radio Newsletter REPORT

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FCC REVISES VANITY CALL SIGN SYSTEM RULES!

The FCC has ruled on four *Petitions for Reconsideration* of the December 23, 1994 Order establishing a system for the assignment of vanity call signs to amateur stations. The petitions granted reconsideration were filed by the American Radio Relay League, Inc., (ARRL), Garry R. Shapiro, N16T (Los Gatos, CA), David B. Popkin, W2CC (Englewood, NJ), and Richard F. Gillette, W9RSU (Tower Lakes, IL). The FCC made some minor revisions to the program as a result of these petitions.

The Petitions for Reconsideration of Jim Kassel, AF0Z (Eagan, MN) and Jack W. Greenwood, WB7QDN (Wolf Point, MT) were dismissed without action since they were filed after the 30 day deadline.

Review of the Petitions for Reconsideration

The League noted that the vanity call sign system would permit a licensee to apply for a call sign from any call area block, or a call sign dedicated to specific islands and possessions. ARRL argued that it would be unfair for an amateur to take a call sign that was allocated to another region "...this would be particularly harmful to persons living in Puerto Rico, Alaska, Hawaii, and certain possessions of the United States."

Shapiro was concerned that allowing applicants to obtain call signs without regard to region would result in listeners not being able to determine a station's location from the station identifi-

cation announcement alone.

Popkin stated that the rule should be revised to prohibit an applicant from obtaining a call sign for a higher operator class simply because the call sign was once held by a relative now deceased. He wants to be able to determine the license class held by the station's licensee from the call sign alone.

He also requests that applications be dismissed when no requested call sign is assignable so as to avoid the possibility that the original call sign will be designated as a vanity call sign. W2CC further requests that the FCC adopt a provision for continuing operating authority beyond the license expiration date, if the renewal application for a station assigned a vanity call sign is timely filed. Additionally, he seeks clarification that applications for vanity call signs will be processed in the order in which they are received. Finally, Popkin seeks confirmation that call signs for which the previous holder is still eligible under the two-year renewal grace period will not be inadvertently assigned to another station. In this regard, he requests that there be a 90-day interval between the end of the renewal grace period and the time when the call sign becomes assignable under the vanity call sign system.

Gillette requests that a special starting gate be created for license trustees of established club stations to request the call sign of a deceased club member. The new gate would be inserted

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between starting Gates 1 and 2. He states that allowing such clubs and advantage in obtaining the call sign of a deceased member would make it possible for the call sign of a former member to be associated with the club's history.

A *Petition for Rule Making*, dated April 27, 1995 was filed by Richard C. Bean, WV1U (Westwood, MA). In it, Bean asks that military recreation stations also be made eligible for vanity call signs. The FCC said "The proposed and final rules in this proceeding specifically excluded military recreation stations from such eligibility." Bean's *Petition for Rule Making* was dismissed as being repetitive. The Commission said they could not consider Bean's proposal as a *Petition for Reconsideration* since it was not timely filed.

Vanity call sign "location" rules amended

The Commission has already considered prohibiting vanity call sign applicants from requesting call signs that are assignable to stations outside the call sign region where the licensee resides. "We decided not to impose this limitation because it would restrict the applicant's choice of vanity call signs to ten percent or less of the call signs assignable to a particular station," the FCC said. "We also noted that such a limitation could easily be circumvented by using a mailing address in another call sign region."

The ARRL, Shapiro, and Popkin argue that the vanity call sign system should be consistent with the sequential call sign system which selects call signs based on the applicant's operator class and region of mailing address.

"Both the sequential system and the vanity system provide members of the amateur service community with the framework under which any operator can obtain a call sign corresponding to his or her class of operation license and region of mailing address. However, unless the holder requests a change when upgrading to a higher operator class or when moving to a mailing address in a different region, the call sign is not changed. We still believe that it is unnecessary to impose a rigid correlation between the licensee's mailing address, license class, and call sign."

"Knowing the station's call sign, an interested party can refer to the Commission's licensee data base to learn the licensee's mailing address and operator class. A listener, however, has no assurance that any call sign by itself accurately represents either the licensee's operator class or the region corresponding to the location of the station. The control operator may hold an operator license grant higher than that indicated by the call sign and the station may be transmitting from any region," FCC said.

The Commission again declined to impose a strict

limitation on selecting vanity call signs according to the applicant's mailing address.

"We recognize, however, that the relatively small number of call signs designated for licensees with mailing addresses in Region 11 (Alaska), Region 12 (Caribbean area) and Region 13 (Hawaii and the Pacific possessions) could become quickly depleted by stations situated in Regions 1-10 (the 48 continental stations and the District of Columbia.) We agree that this would be unfair to licensees who reside in Regions 11, 12 and 13. We will, therefore, modify the rules to limit the assignability of any call sign designated in the sequential call sign system for those three regions to licensees having mailing addresses in the specific station, commonwealth, or island corresponding to the call sign. Those licensees can also request call signs in Regions 1 to 10."

New "relatives of deceased amateurs" limitation

The current vanity call sign system allows a licensee to request a call sign corresponding to the same operator class currently held, or to a lower class. The rules, however, permit a close relative to request the former call sign of a deceased amateur regardless of operator class.

"Upon reconsideration, we are persuaded that this latter provision could result in unfair assignments. For example, a Novice operator could obtain a Group "A" call sign simply because a now deceased relative once passed the rigorous examination for an Amateur Extra Class operator license.

"For this reason, we conclude that the close relative exception should be limited to persons who hold the requisite or higher class of operator license. The lower class licensee, however, is not without recourse. The rules (Sec. 97.19(c)(3), provide a two-year period following a licensee's death during which the call sign is available only to close relatives. This allows a reasonable period for the relative to pass the examinations for the requisite class of license."

New Gate 1-A established

The FCC said they found that priority should be given to applicants based on the order in which the applications for vanity call signs are received. "For this reason, we established a series of four starting gates. Gate One allows a previous holder or, where the holder is deceased, a close relative to apply for that call sign. Gate two allows Amateur Extra Class operators to apply for any assignable call sign. Gate three allows Advanced Class operators to apply for a call sign applicable to that class, or a lower class of license. Gate Four opens the system to any licensee."

"Upon reconsideration, we find that priority

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should also be given to established clubs obtaining the call sign of deceased members. We will, therefore, issue a public announcement detailing a fifth starting gate. This new gate will follow Gate One and will be designated Gate 1-A. Thus, before the call sign of a deceased licensee will be made available to the vanity call sign system generally (Gates 2, 3 and 4), a close relative of the deceased licensee will be able to request the call sign under Gate One. If it is unclaimed, then the club to which the deceased licensee belonged will be able to request it under Gate 1-A. For Gate 1-A, we will require a club station to have been licensed at the time of the Report and Order became effective, i.e. on March 24, 1995. This is necessary to prevent newly licensed club stations from using Gate 1-A solely to gain the unfair advantage of early access to the vanity call sign system. A club station licensed after March 24, 1995, will become eligible to apply immediately under Gate 4 for the call sign of a deceased club member without being required to comply with the normal two year waiting period."

Other determinations

Current procedures ensure that applications are processed in the order in which they are received. "Therefore, we do not believe that it is necessary to adopt a formal rule stating this requirement. All application forms are stamped with the receipt date at the contractor's facility. Periodically, batches of such forms are forwarded to our processing facility. The applications are then distributed to the processor's work station in accordance with the contractor's receipt date. Those with earlier receipt dates are processed before those with later receipt dates."

"We also conclude that it is unnecessary to extend the two-year period during which a call sign, associated with an expired license, is unavailable to the vanity call sign system. Our licensing procedures provide that, even if a renewal application is received on the last day of the grace period, no other conflicting application, such as a request for a vanity call sign, would be processed until the renewal application has been acted upon."

"We also decline to adopt a rule requesting that an application be dismissed if the call signs requested are not available. The rules (Sec. §97.19(d)(2), specify that, when none of the call signs requested are assignable, the call sign vacated by the applicant will be shown on the license grant. When the grant has been made, the application is no longer regarded as pending. At that point, there would be no application to dismiss."

"With respect to the suggestion that the rules be amended to state that when a timely-filed renewal

application is pending for a station having a vanity call sign, there should be continuing operating authority, we agree. This is how all other amateur station licenses are treated." The FCC amended Section §97.21(a)(3)(ii) to reflect this change.

Final FCC Conclusion

"For the foregoing reasons, we decline to limit vanity call signs to those available in the applicant's call sign region with the 48 contiguous United States. We are limiting, however, the assignability of call signs designated for Regions 11, 12 and 13 solely to licensees having a mailing address in the specific state, commonwealth, or island of those regions. This limitation does not apply to former call sign holders or to close relatives of deceased call sign holders. We also amend our rules to require that, in the case of a close relative applying for the former call sign of a deceased licensee, the applicant must hold the requisite class of operator license."

"Additionally, we are amending the rules to specify that applicants who timely file applications for renewal of a station license having a vanity call sign will have continuing operating authority. We are also allowing clubs to obtain the call sign of a deceased member, with an additional starting gate giving priority to clubs existing on March 24, 1995. Finally, we have included an editorial change pertaining to the correct wording and numbering of Section §97.17(g)"

The new vanity call sign rules

Effective November 17, 1995, Part 97 of Chapter I of Title 47 of the *Code of Federal Regulations* is amended as follows:

Part 97 - Amateur Radio Service

Section §97.17 is amended by removing paragraph (g) and by redesignating paragraph (h) as paragraph (g)

Section 97.19 is amended by revising paragraph (d) introductory text and adding new paragraph (d)(4) to read as follows:

§97.19 Application for a vanity call sign

* * * * *

(d) The vanity call sign requested by an applicant must be selected from the group of call signs corresponding to the same or lower class of operator license held by the applicant as designated in the sequential call sign system.

* * * * *

(4) A call sign designated under the sequential call sign system for Alaska, Hawaii, Caribbean Insular Areas, and Pacific Insular Areas will be assigned only to a primary or club station whose licensee's mailing address is in the corresponding state, commonwealth, or island. This limitation does not apply to an applicant for the call sign of the spouse, child,

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grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, of the former holder now deceased.

Section §97.21(a)(3)(ii) is revised to read as follows:

§97.21 Application for a modified or renewed license

(a) * * *

(3) * * *

(ii) When the licensee shows a call sign selected by the vanity call sign system, the application must be filed as specified in Section §97.19(b). When the application has been received at the proper address specified in the Wireless Telecommunications Bureau Fee Filing Guide prior to the license expiration date, the licensee operating authority is continued until final disposition of the application.

* * * * *

When will the vanity call sign program begin?

The basic difference between the current Sequential Call Sign System and the Vanity Call Sign System is that instead of the FCC assigning a station call sign from a "no choice" alphabetized list, the call sign is selected from a list of up to 25 call signs submitted by the licensee.

Although the final rules we adopted nearly a year ago, the vanity call sign program was being held up by three obstacles.

(1.) The primary reason was the outstanding *Petitions for Reconsideration* which have now been resolved. Or at least we think they have been. There is still another 30 day period where further reconsideration may be requested.

(2.) Secondly, since the Commission might to make revisions, release of the Vanity Call Sign application form (FCC Form 610-V) had to be delayed pending FCC action on the petitions.

(3.) And finally, no one is quite sure what the cost will be to get a station call sign of choice.

One thing we do know for sure, however, and that is special call sign will not be free! There will be a fee for a user-selected call sign. At this point, the exact cost is up in the air.

Vanity call signs got their start in 1993 as part of President Clinton's much publicized Deficit Reduction Plan. In it was a provision for the FCC to collect a \$7 annual fee to bankroll the administrative cost of providing an amateur call sign chosen by the user. The rules call for small regulatory fees to be collected in advance. That would be \$70 based on a ten year ham license term.

Congress, however, later revised and reduced the *Schedule of Regulatory Fees* for Fiscal Year 1995 vanity call signs to \$3.00 per year ...or \$30. And, at

the urging of the ARRL a third plan has emerged.

HR1869, the FCC Authorization Bill currently being worked on by the House of Representatives suggests a one-time vanity call sign "Authorization fee" of \$150. Our understanding is that HR1869 and the \$150 charge has now been incorporated in the House version of the Fiscal Year 1996 Budget Reconciliation legislation, but the Senate is refusing to go along with it.

So the cost will either be \$30 or \$70 every time you renew your license ...or a one-time cost of \$150. We were told by the House Commerce Committee that the \$150 fee was a "left over" from a prior ARRL suggestion that was incorporated into the FCC Authorization Bill.

Vanity Call sign application Form 610-V

A Public Notice will announce when the FCC vanity call sign application Form 610-V is available and the opening date of each gate.

The FCC Form 610-V, we understand, consists of 4 pages - three of which are instructions on how the application should be prepared. While the ruling on the *Petitions for Reconsideration* did not require that the form itself be changed, the instruction portion does need revision.

So there will be another delay while the instructions are brought up to date. And there is a question as to whether the form will need to go through the time consuming OMD (Office of Managing Director) review process again.

We have arranged with the FCC to send us a print master of the Form 610-V just as soon as it is released for printing. The FCC gets their printing done at federal prisons and the wait to get back forms is sometimes lengthy. We will immediately print the Form 610-V and send a free copy to anyone who sends us a business size self-addressed-stamped envelope. Send to: The W5YI Group, Inc., P.O. Box 565101, Dallas, TX 75356 - ATTN: Vanity FCC Form 610-V.

How vanity calls will be handled

Amateurs must submit the Form 610-V applications listing up to twenty-five call signs in order of preference to this special address: FCC, Amateur Vanity, P.O. Box 358924, Pittsburgh, PA 15251-5924. The proper fee (whatever it turns out to be) must be included.

This is actually the address of the Mellon Bank in Pittsburgh which serves the FCC's fee collection contractor. The bank will strip the fee from the application, date stamp and forward to the FCC in Gettysburg, PA. The first assignable call sign from the

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Form 610-V list will be shown on the license grant and the applicant's previous call sign will be vacated. Any application received without the fee will be returned.

The payment must be submitted in the form of a check, bank draft or money order and made payable to the Federal Communications Commission. Special arrangements are also being made to accept Visa and MasterCard credit cards.

If none of the call signs requested are assignable, the call sign vacated by the applicant will be shown on the license grant. Or to put it differently, if all 25 call signs requested are assigned, then you get back your previous call sign. You will get your money back if you do not get a different vanity call sign.

The W5YI Group is offering a special Vanity Call Sign Service to enable the amateur community to know which call signs are still unassigned. Our amateur call sign data base of assigned calls is updated daily right from the FCC. The cost of this custom 3½" disk (for IBM/compatible PCs) is \$15.95. On this disk will be every four or five character unassigned call sign for a specific call sign area and call sign group. (Call toll free 1-800-669-9594 if you are interested.)

The starting gates

You may file your application Form 610-V for a special call sign once your "gate" opens. Remember, there are now five starting gates!

GATE 1: Available to any class operator who is applying for:

- The call sign that was previously shown in his or her primary station license, or
- The call sign that was previously shown on the primary station license of a deceased spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, or
- The call sign that was previously shown on the club station license for which the applicant is currently the license trustee.

GATE 1-A: Available to the club station of a deceased licensee, the call sign of whom was unclaimed by a close relative under Gate 1..

Note: It is assumed that all applicants for previously issued call signs will have to prove by a copy of an amateur operator/station license that he/she - or the deceased amateur held the call sign. The FCC has not said that they will allow any other method (such as a call book entry) to establish a prior call sign.

GATE 2: Any Amateur Extra class operator who is applying for a call sign for his or her primary station or for the club station for which he/she is currently the license trustee.

GATE 3: Any Advanced class operator who is apply-

ing for a call sign for his or her primary station or for the club station for which he/she is currently the license trustee.

GATE 4: Any class operator who is applying for

- a call sign for his or her primary station or for the club station for which he/she is currently the license trustee.
- a call sign that was previously shown on the primary station license of a deceased person and who is acting with the written consent of the deceased person's spouse, child, grandchild, stepchild, parent, grandparent, stepparent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, for the club station for which he/ she is currently the license trustee.

Only unassigned call signs that are available under the sequential call sign system are available to the vanity call sign system. This stipulation eliminates all AA-AL-by-three and NA-NZ-by-three call signs since they were never part of the *Systematic Call Sign Assignment System* of 1978 on which the Group D sequential call signs are based.

And some other exceptions:

- 1.) A call sign shown on an expired license is not available to the vanity call sign system for two years following the expiration of the license, and;
- 2.) A call sign shown on a surrendered, revoked, set aside, cancelled, or voided license is not available to the vanity call sign system for two years following the date such action is taken, and;
- 3.) Except for close relatives and club stations acting with the consent of a close relative, the call sign of a deceased amateur is not available to the vanity call sign system for two years following the person's death or for two years following the expiration of the license, whichever is sooner. The FCC has not said how applicants would establish the date of death of a "silent key."

You may request a vanity call sign only when you hold an unexpired amateur operator/primary license document, and where applicable, a club station license (FCC Form 660). A amateur (or club station) who has let his/her license expire - or has yet to receive a call sign - must first secure a new sequential call sign (or reactivation) before trading it in for a vanity call sign. Military recreation and RACES stations are not eligible to apply for a vanity call sign.

Except for Gate 1 and the written consent portion of Gate 4, you may list on the Form 610-V from one to twenty-five specific call signs in order of your preference. Except for mentioned above, each call sign requested must be from the group designated under the sequential call sign system for your, or a lower, operator license class.

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EMERGING TECHNOLOGY

• Digital direct broadcast satellite (DBS) television is supposed to have better picture quality. But Sony Electronics Inc., had problems. They were forced to temporarily discontinue shipments of its new 18-inch dish because of unwanted green lines, freeze-frame images and other picture quality defects. Thomson Consumer Electronics had an exclusive deal to market their 18 inch DBS system under the RCA label until Dec. 1995 - or until they sold one million units. That happened in April and Sony brought out their model in June.

The problem has now been solved with an automatically downloaded software patch and Sony is once again shipping the \$750 system.

• A research study says that 12.5 million homes will have Direct Broadcast Satellite receivers within three years and that it will cause the number of cable subscribers to stagnate at 60 million. Although there will be up to five DBS broadcasters, DirecTV will own more than a 50% market share. DBS program providers say that there could be 25 million subscribers by the year 2000 with equipment costs dropping to around \$300. The U.S. television market stands at 200 million TVs in 100 million households.

Hughes Communications, the owner of DirecTV is now seeking FCC approval for a \$3 billion expansion of its global satellite system. The want to launch up to 15 new high-powered satellites in the next ten years. A 144-channel version of DirecTV debuts in Latin America next year. And DirecTV is in the process of launching a 50-channel DBS service for Japan.

• But the news is not all bad for Sony! Industry experts say they should have this season's best selling Christmas toy! The Sony PlayStation video game player arrived Sept. 6th and more than 100,000 were sold the first day - following a three week pre-sale. Retail for the 32-bit CD-ROM-based game platform is \$299. (Street price is less.)

In Japan, Sony's PlayStation sold more than 1 million units in its first 6 months ...an unbelievable sales per-

formance for a company that has never marketed a videogame machine before and has no "killer titles" in its Sony Imagesoft division. By contrast, Sega and Nintendo each sold \$1 billion worth of videogame platforms last year.

Sega Enterprises has their "Saturn" 32-bit game player, but retail is \$399. And they have yet to sell 100,000 pieces in the U.S. Nintendo's 64-bit "Ultra 64" videogame platform (also \$399) is supposedly coming next Spring but no release date has been set. Everything points to Sony PlayStations being in very short supply this Christmas.

• Sony/Philips and Toshiba/Time Warner/Panasonic compromise ...reach digital videodisk technology accord and avert Beta/VHS-like war! The electronics industry has agreed on a new universal read-only multimedia CD-ROM (MMCD) standard that will allow movies to be packaged on compact disks. The companies will use Toshiba's idea of bonding two ultra-thin discs together and Sony's method of reading the data from one side. The new single-sided 5" format allows about 7 times more information - about 4.7 gigabytes - to be stored on a standard 5-inch CD, enough for an average length Hollywood movie. A single-sided dual-layer version provides up to 8.5 gigabytes and a double sided: 17 gigabytes. Every movie ever made will be able to be downloaded by your personal computer from the Internet and played on your TV! The new videodisks are expected to do for movie studios what CDs did for the music industry. Home video sales now account for 42% of motion picture industry revenue. The expectation is that feature length movie CDs will cost between \$20 and \$40 each. Look for them next year ...with a big sales push aimed at the 1996 holiday selling season. Although videotape won't disappear overnight, movie CDs and players (about \$500) are expected to do to video cassettes and VCRs what music CDs did to vinyl records and turntables.

• AM/FM broadcasters and satellite radio proponents are battling at the FCC. Analog radio stations are saying that DARS (the digital audio radio service) will put them out of business. The

Commission wants to know if DAR (2310 to 2360 MHz) spectrum should be auctioned and what impact satellite delivered radio will have on terrestrial broadcasters. CD Radio (and others) hope to beam music programming nationwide to small dishes mounted on car roofs!

• Sending and receiving e-mail over the telephone! Oracle and Philips Home Services are teaming up to let users exchange e-mail over a screen phone. A small PCMA (PC modem) card adds storage. And Citibank will use the concept to bring electronic banking to its customers. The theory is that "people are more comfortable with phones than with PCs."

• A live broadcast of the Seattle Mariners-New York Yankees baseball game was demonstrated last month at the World Media Expo held in New Orleans. What was different about the play-by-play broadcast is that it was delivered worldwide in real time over the Internet without an FCC license.

Called "RealAudio," the Progressive Network specializes in real-time audio-on-demand. Users simply call up a web page. The network is owned by Rob Glaser who amassed a personal fortune as the ten year former vice president of multimedia at Microsoft. Glaser, who also owns a stake in the Seattle Mariners, has already distributed more than 300,000 copies of the RealAudio software over its web site. More than 100 sites now run RealAudio programming which comes in compressed form over a PC modem into computer memory. An application of RealAudio being considered is multiple language audio for television reception.

WASHINGTON WHISPERS

• A new standard for HDTV (high definition television) should be approved next month. The so-called "Grand Alliance" advanced TV system will be presented to the FCC by ACATS, the Advisory Committee on Advanced Television Service. ACATS is headed up by ex-FCC Chairman, Richard Wiley. The new digital TV format has resolution similar to 35-mm motion pictures and a comparable 16.9 aspect ratio.

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- Right after it paid \$1.7 million to clear up outstanding indecency fines, Infinity Broadcasting paid \$275 million to purchase seven more AM/FM radio stations. Infinity, which syndicates the Howard Stern talk show, now has 34 radio stations, 28 in top ten markets.
- The FCC has its work cut out for it coordinating radio frequencies for the 1996 summer Olympic Games. It will be the largest "RF event" ever. Approximately 200 countries will be represented at the games and will operate radios under Special Temporary Authority. The media will also make extensive use of auxiliary broadcast frequencies. The City of Atlanta expects some five million visitors. To reduce congestion, the FCC is asking that everyone consider use of cellular telephones as an alternative to two-way radio.

- The FCC has released a list of the new telephone area codes that will be implemented over the coming year. Toll-Free "800" will be joined by 888. The following areas will get new codes.

[Area: Current Code/Additional Code]

AL 205/334	WA 206/360
Houston 713/281	Phoenix 602/520
CO 303/970	Tampa 813/941
VA 703/540	Atlanta 404/770
CT 203/860	TN 615/423
Bermuda 809/441	Miami 305/954
Brit. Colum. 604/250	SC 803/864
North FL 904/352	MO 314/573
Chicago 708/847	Dallas 214/972
Chicago 708/630	OR 503/541
South. CA 310/562	OH 216/330

- The Congressional Budget Office wants to eliminate both the Commerce Dept. and the National Telecommunication and Information Administration. They say it will save \$7.8 billion over five years. Even if the NTIA stays, it faces a whopping 82% budget cut. It also appears that the FCC's budget will be around \$175 million for fiscal 1996. The FCC had asked for \$223.6 million which was reduced to \$186 million by the House. The Senate slashed that even further to \$166 million, but later restored some funding. The cuts come even though pending legislation increases the agency's responsibilities!

- The FCC has adopted new customer service standards that respond to the requirements of the Clinton Admini-

strations National Performance Review. Basically it calls for the public getting a faster Government response, better telephone handling and quicker licensing.

- The FCC has revised the license examination questions for the General Radiotelephone Operator License (GROL) and Ship Radar Endorsement. All continental U.S. test sites must begin using the new questions Jan. 1st.

AMATEUR RADIO NOTES

CQ Communications, publisher of CQ Amateur Radio magazine will introduce a new magazine called CQ VHF. The first issue hits the newsstand in mid-December. Richard Mosenon, NW2L will be the new publication's editor. A ham radio operator since 1970, Mosenon brings a wealth of journalistic experience to the editor's desk. His background includes positions at CBS News, the Associated Press and as a radio news reporter/anchor. Publisher Richard Ross, K2MGA said the publication will be aimed at ham radio operators active on frequencies above 50 MHz. The magazine will not only be for the new operator, but will cover the entire VHF/UHF, and microwave spectrum of ham activities in great depth. CQ-VHF thus becomes the first magazine to focus in on the fastest growing segment of amateur radio. Forty percent (about 300,000) of all amateurs today hold a Technician (or Tech Plus) operator license.

The first issue of CQ VHF will be dated January/February, but the magazine will be published monthly beginning with the March 1996 issue. Special introductory subscription rate is \$19.95 for 12 issues.

The Dayton Amateur Radio Association is again offering eight scholarships in the amount of \$2,000 each to licensed amateurs graduation from high school in 1996. Applications are available from Stan Kuck, DARA Scholarship Chairman at 45 Cinnamon Ct., Springboro, OH 45066

Several "KE6-by-3" amateur call signs had to be reissued due to duplications by the FCC's computer.

The United Kingdom is apparently

going along with New Zealand's proposal to eliminate the international HF code requirement at WRC-95. The Radio Society of Great Britain has protested to their Radiocommunications Agency that the decision runs contrary to the wishes of UK amateurs.

- The Radio Amateur Satellite Corporation held its 13th Annual Space Symposium in Orlando, Florida last weekend. Phase 3D, an amateur satellite project started by German amateur radio operator Dr. Karl Meinzer, DJ4ZC is being delayed until September 1996 by the European Space Agency.
- German Cosmonaut Thomas Reiter, DF4TR is operating 2-meter ham radio from the Russian MIR Space Station signing DP0MIR. Check 145.80, 145.55 and possibly 145.20 MHz.
- Herbert L. Schoenbohm, KV4FZ has asked for a delay in submitting reply findings on his license renewal hearing. (See related story on page 8) On September 16, 1995, Hurricane Marilyn struck the Virgin Islands. Schoenbohm was participating in emergency amateur radio communications when the hurricane intensified. Schoenbohm's transmitting equipment was destroyed; the roof was blown off his house; and he is presently living in a hotel with his family.

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FAMILY RADIO SERVICE - Licensees Razz, Manufacturers Applaud Proposed New FM-CB

In Wireless Telecommunications Docket No. 95-102, the FCC is considering whether to establish a new category of Citizens Band Radio, to be called the "Family Radio Service" (FRS). Originally proposed by Tandy Corporation, the unlicensed FRS would use 14 channels overlapping the direct and repeater input and output channels in the General Mobile Radio Service (GMRS).

GMRS is a Personal Radio Service in Part 95A of the FCC Rules. Often mistakenly called "the old Class A CB," GMRS has little historical connection to Citizens Band and predated it by many years.

GMRS radio prices began falling precipitously about three years ago, with the entry into the market of manufacturers such as Maxon and Tandy. GMRS is one of the fastest-growing land mobile radio services, especially now that sophisticated radios can be had for around \$150.00. There are over 35,000 GMRS stations, mostly used for private and family communications and by volunteer public service teams. Many older commercial users remain, though no new GMRS licenses can be granted to commercial entities.

Seven of the proposed FRS channels at 462 MHz already are allocated to GMRS for low-power, non-repeater FM communications. Seven other proposed FRS channels, however, would be allocated at 467 MHz -- rather close to the input frequencies of thousands of GMRS repeaters across the country.

Manufacturers felt that interference to GMRS could be curbed with tight technical standards. GMRS licensees object to the idea of a new unlicensed service in the middle of licensed spectrum. Of the 62 comments filed in the docket, only those of radio manufacturers favor the FRS. The others oppose the NPRM, sometimes in bitter words. Here are excerpts from the filings:

"There is a strong public demand for an affordable, high quality, short range, two-way communications alternative that can be used by small segments of the American public. ...Motorola plans to market 'shrink-wrapped' radios, priced between \$100 to \$250, for use in the Family Radio Service." - *Motorola Inc.*

"If the FRS is to be an unlicensed band, the [FCC] enforcement branch, which already prioritizes the 27 MHz CB band below all others would most surely ignore the FRS also. ...We have over \$50,000 invested in GMRS radios and repeaters. Who will fund the replacement of these radios that are being legislated into uselessness: Tandy, Motorola, the FCC?" - *Douglas County REACT, Omaha NE*

"Just as unlicensed CB has introduced millions of people to the benefits of two-way radio, so too will

unlicensed FRS. Tandy is confident that the Commission's certification procedures will ensure that FRS equipment does not cause harmful interference." - *Tandy Corporation*

"Unlicensed consumers - many of them children will not voluntarily comply with necessary radio rules and practices absent hardware-based compliance. Nor will the FCC fulfill its enforcement responsibilities in a mushrooming consumer radio service, whose users have paid nothing for licenses, are likely unaware of any operating rules, and who are probably unconscious even of the Commission's existence." - *Bennett Kobb, KC5CW/KAE8949, Arlington VA*

"Uniden believes that FRS will serve many users by providing a low-cost communications medium for a variety of purposes. While any increase in spectrum activity could also increase the potential for interference to adjacent services, we strongly believe that the FRS will have no significant effect on the current GMRS, or to other services." - *Uniden America Corporation*

"The thrust of the Tandy petition and of this NPRM is not to create a 'new' service. Instead, it is a thinly veiled attempt to delicense a portion of an existing, viable, licensed personal and family-oriented radio service (GMRS) in order to compromise the protections that the Commission has previously found are necessary to ensure that this spectrum is used for its intended purposes, and that it not be overrun by uses and users that are more appropriate elsewhere." - *Personal Radio Steering Group Inc., Ann Arbor MI*

"The FCC has given up on enforcing any of the restrictions on CB and I fear this will also occur in an unlicensed FRS. Transmission of music, profanity, annoying remarks, malicious interference, the use of sound effects and echo chambers are widespread on CB yet all prohibited by law. The illegal use of linear amplifiers is also common on CB. The restrictions in the proposed FRS say they will restrict power to 1/2 watt. How will that be enforced, considering 50 watt GMRS radios and commercial UHF linear amplifiers can be easily mail ordered?" - *David Kipp, M.D., AB7JG/KAF4141, Mesa AZ*

"The FRS, as currently proposed, calls for both unlicensed and licensed users to share the same spectrum. This type of situation is likely to lead to problems, as one category of users may feel 'superior' to the other. Or a group of users may feel as though they are being bullied -- and then fight back, leading to illegal amplifiers and unruly escalation typified by the rude and often obscene behavior on 27 MHz CB - which happened when licenses were phased out, and continues to this day." - *Susan Feit, N2NRR, Manalapan NJ*

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AMATEUR RADIO CALL SIGNS

...issued as of the first of October 1995:

Radio	Gp."A"	Gp."B"	Gp."C"	Gp."D"
District	Extra	Advan.	Tech/Gen	Novice
Ø (*)	AAØZE	KGØZH	(***)	KBØUCL
1 (*)	AA1OL	KE1DB	N1VWW	KB1BUE
2 (*)	AA2YO	KG2EH	(***)	KB2VXS
3 (*)	AA3MR	KE3UZ	N3WEK	KB3BLI
4 (*)	AE4MU	KT4EJ	(***)	KF4DSB
5 (*)	AC5EY	KK5TJ	(***)	KC5RCS
6 (*)	AC6PS	KQ6AC	(***)	KE6YTK
7 (*)	AB7MR	KJ7RQ	(***)	KC7NFW
8 (*)	AA8UR	KG8TT	(***)	KC8BEQ
9 (*)	AA9QD	KG9EF	(***)	KB9LRN
N.Mariana Is.	KHØS	AHØAW	KHØED	WHØABD
Guam	WH2Q	AH2DA	KH2OU	WH2ANN
Johnston Is.	AH3D	AH3AD	KH3AG	WH3AAG
Midway Is.		AH4AA	KH4AG	WH4AAH
Hawaii	(**) AH6OG	(***)		WH6CYM
Kure Is.		KH7AA		
Amer. Samoa	AH8O	AH8AH	KH8CK	WH8ABE
Wake W. Peale	AH9C	AH9AD	KH9AE	WH9AAI
Alaska	(**) AL7QF	(***)		WL7CPD
Virgin Is.	WP2U	KP2CH	NP2IK	WP2AIA
Puerto Rico	(**) KP4ZZ	(***)		WP4NCB

*=All 2-by-1 "W" prefixed call signs have been assigned in all radio districts. 2-by-2 AA-AK call signs now being assigned.

**=All Group A (2-by-1) format call signs have been assigned in Hawaii, Alaska and Puerto Rico.

***=Group "C" (N-by-3) call signs have now run out in all but the 1st and 3rd call district.

Note: All of the Group B call signs in Puerto Rico have now been assigned. At present, only Group D (2-by-3) call signs remain. Puerto Rico will eventually be issued the following new prefixes: Group A: KP3, NP3, WP3; Group B: KP3; and Group C: NP3, WP3.

(Source: FCC Licensing Facility, Gettysburg, PA.)

KV4FZ FIGHTS TO KEEP HIS AMATEUR LICENSE

We have had several inquiries into the status of Herbert L. Schoenbohm, KV4FZ of St Croix in the U.S. Virgin Islands. Earlier this year, the FCC's Wireless Telecommunications Bureau (WTB) designated Schoenbohm's Amateur Extra Class license renewal application for a hearing to determine if he possessed the proper character to remain a Commission licensee. In 1992, KV4FZ was convicted of a felony.

His amateur station and operator license were originally scheduled to expire on March 2, 1994. Schoenbohm had submitted a timely renewal the previous month but it was not granted. Instead, KV4FZ was permitted to operate his station until a decision was made by the FCC relative to whether he possessed the proper qualifications to remain a Commission licensee.

The hearing was held in Washington, D.C. on August 8, 1995 before FCC Administrative Law Judge Edward Luton. At the conclusion of the hearing, the presiding judge directed that proposed findings be filed on or before September 15, 1995.

Both the FCC's Wireless Telecommunications Bureau and Schoenbohm's attorney, Lauren A. Colby of Frederick, Maryland have now submitted very lengthy "Proposed Findings of Fact and Conclusions of Law" to the judge. We obtained copies of these public documents which run to a total of some fifty pages. And as one might expect, the two versions were vastly different!

Background of the proceeding

The felony that Schoenbohm was convicted of in 1992 was the "fraudulent use of counterfeit access devices" ...actually specially coded numbers that permitted him to make free long distance telephone calls from the Virgin Islands. The crime actually took place in 1987.

He was found guilty when witnesses at the trial testified that Mr. Schoenbohm had telephoned them at the same time that records showed that calls were placed to their numbers using the illicit access codes.

The District Court sentenced KV4FZ to two months imprisonment which was later suspended and changed to two months house arrest with two years probation and a \$5,000 fine.

Schoenbohm appealed without success. The Third Circuit Court of Appeals confirmed the conviction. Subsequent appeals for a rehearing and motions to vacate the conviction were also denied.

Proposed Findings of the August 1995 hearing

Schoenbohm said the alleged amount of evaded telephone charges totalled \$1,047 and that his conviction stemmed from a dispute with a long distance telephone service provider and that he did not steal any money or access the account of other subscribers.

At the time of his conviction, KV4FZ was the Chief of Communications for the Virgin Islands Police Department and, according to Schoenbohm, he has suffered immensely as a result of losing his job, health care benefits and future retirement.

KV4FZ is currently employed in the transportation department of the Virgin Islands Government. The FCC alleges that this was the political appointment of Delegate Victor O. Frazer and not based on merit.

KV4FZ has been active in Virgin Island politics and works part time as a District Field Representative for Frazer who represents the Virgin Islands in the U.S. House of Representatives. Schoenbohm also claims to have been instrumental in getting Frazer elected to

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Congress.

Schoenbohm testified that over the years he has engaged in many public service activities using amateur radio - including the apprehension of criminals, rescues at sea and emergency communications during several hurricanes. "In March 1978, FCC Commissioner Margita E. White appointed him Chairman of the State Emergency Communications Committee for the Virgin Islands, a post he held until his conviction." He said he had received many commendations. The FCC questions several of his claims.

Schoenbohm said that he had been very active in Virgin Islands politics, and that he currently writes a newspaper column and is a news reporter and talk show host for a local radio station.

There was also a question as to whether Schoenbohm illegally "...solicited or encouraged others to make a presentation that he was prohibited from making." Under Ex Parte rules, Schoenbohm is prohibited from asking for the intervention of politicians to act on his behalf. Schoenbohm reportedly sent letters to elected officials requesting assistance.

A tape recording of an amateur radio QSO was introduced into the hearing whereby KV4FZ suggests to another amateur that he might want to ask Victor Frazer to act in his behalf.

"I think what you should do, if it were me ... I would ask the question ...whether or not he feels that cancellation or the refusal to renew the license of KV4FZ would have a negative impact on the communications readiness and preparedness [and] on the people of his constituency. That might make a difference..."

Schoenbohm's version is that he never requested anyone to write to the delegate and that the amateur with whom he was in QSO with asked who represented the U.S. Virgin Islands ...and KV4FZ said Victor Frazer. Schoenbohm also said that initially he had no knowledge of the ex parte rule and did know it was improper to request help from elected officials.

Conclusions of Law

The FCC said that the primary issue was in light of the 1992 conviction, whether Schoenbohm had the requisite character qualifications to be an amateur licensee. The WTB said it determined "On the basis of the record of this case, Mr. Schoenbohm lacks those qualifications. ...It must be concluded that the Commission cannot rely upon Mr. Schoenbohm to be truthful in his dealings with the Commission."

"Mr. Schoenbohm's claim that he did not intend to solicit others to make ex parte presentations in his behalf is not credible because it is contradicted by the plain meaning of his words"

The FCC said "Mr. Schoenbohm's conviction of a felony involving fraudulent conduct reflects on his propensity for truthfulness. ...Mr. Schoenbohm not only has failed to present any evidence that he has a reputation for truthfulness; he has provided through his testimony, additional evidence indicating that he cannot be relied upon to tell the truth by giving inconsistent, incredible and misleading testimony. ...Mr. Schoenbohm's felony conviction also reflects on his propensity to obey the law."

Schoenbohm's attorney questions whether his "dispute with a local retailer of telephone service" was "FCC-related misconduct" since it involved the telephone and not amateur radio equipment. "...many crimes involve use of the telephone, and users of the telephone are not required to be licensees of the FCC." Furthermore, KV4FZ's attorney said the conviction "is remote in time" having occurred some eight years ago.

Conclusions of the hearing

The findings in the brief filed on behalf of Schoenbohm to the judge concludes "...that in light of his otherwise spotless record, both before and after his single conviction, and in light of his evidently full rehabilitation, the single conviction which forms the basis of this proceeding is no barrier to a grant of renewal of Schoenbohm's amateur license. ...The record shows that Schoenbohm has had an exemplary amateur radio record and that he has been fully rehabilitated from his crime." On the ex parte issue: "What we have ...is an innocent, technical violation of the anti-solicitation rule resulting from ignorance."

The final paragraph of the Schoenbohm brief declares "...Herbert L. Schoenbohm has satisfied his burden under the issues specified against him in this proceeding, and that a grant of his application for renewal of license will serve the public interest, convenience and necessity. Accordingly, the application of Herbert L. Schoenbohm for renewal of amateur license KV4FZ is hereby granted."

The FCC'S closing argument was understandably somewhat different. They ended their report with "...it must be concluded that: In light of the conviction ...Herbert L. Schoenbohm is not qualified to renew his amateur service license. ...[His renewal] application would not serve the public interest, convenience and necessity [and] must be denied.

The presiding judge is now in the process of rendering an initial decision on KV4FZ's amateur operator/station license renewal. It will be transmitted to the Secretary of the Commission who will make the decision public. There is a 30 day appeal period after the text of the decision is released.